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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,831	06/28/2001	Calvin B. Grigsby	476172000100	5861
20872 7590 01/03/2007 MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			EXAMINER GRAHAM, CLEMENT B	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/03/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

## Application No.

09/896,831

## Applicant(s)

GRIGSBY, CALVIN B.

## Examiner

Clement B. Graham

## Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 10/3/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19,23-31 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19,23-31 and 34-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-19, 23-31 and 34-37 remained pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19, 23-31 and 34-37, are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitworth U. S. Patent No 6, 009, 402) in view Bond Financing Basis for Housing and Redevelopment Authorities , 1996 (Hereinafter Bond Financing).

As per claim 1, Whitworth discloses a method for managing a securities transaction in a system having one or more servers, one or more clients, and one or more databases, comprising;  
receiving over a network an application for money from an entity and an application to issue for sale a set of one or more bonds, wherein the application for money indicates and is associated with initiation of a securities issuance (see column 20 lines 1-40)  
receiving over the network interest in the securities transaction in response to the application for money, wherein the securities transaction relates to the issued securities; and(see column 20 lines 1-40).

Whitworth fail to explicitly teach determining which of a plurality of categories the securities transaction belongs and, based on the determination, presenting at least one standard document associated with that category.

However Bond Financing discloses the Official. Statement is dated the date the bonds are sold and contains the final terms of the bonds. Under federal securities laws, the Issuer (and the Borrower, if there is one) are obligated to disclose in this document all information that a "reasonable investor" would consider important in deciding whether to purchase a bond. A "Preliminary Official Statement" complete , except for interest rates and maturities, is used to presell the bonds.

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**Purchase Contract** This is the agreement between the Issuer and the Underwriter in which the Issuer agrees to sell the bonds to the Underwriter and the Underwriter agrees to purchase the bonds from the Issuer at a specified purchase price, typically principal plus accrued interest from the date of the bonds to the date of closing. The Purchase Contract sets forth the terms and conditions under which the Underwriter will purchase the bonds. These provisions include provisions for various documents and opinions to be provided by parties to the financing at the closing, including any expected bond rating.(see page 1-5)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Whitworth to include determining to which of a plurality of categories the securities transaction belongs and, based on the determination, presenting at least one standard document associated with that category taught by Bond Financing in order to present one standard document associated with that category.

As per claim 2, Whitworth discloses further comprising:  
before presenting the at least one standard document, modifying tire at least one standard document based on the application for money.(see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 3, Whitworth discloses wherein the entity is one, or more members selected from the group consisting of an issuer, an issuer financial stafh and a financial advisor. .(see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 4, Whitworth discloses Claim 4 (previously presented): The method of claim 1, wherein the securities transaction is a municipal bond sale and the securities issuance is a municipal bond issuance. .(see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 5, Whitworth discloses wherein the network is the Internet. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 6, Whitworth discloses wherein the one or more standard documents includes one or more members selected from the group consisting of an official statement, a bond indenture, a county resolution, a municipal board resolution, an actual form of bond, a legal opinion, and a certificate of the clerk. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 7, Whitworth discloses further comprising communicating the at least one standard documents to the client. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 8, Whitworth discloses, further comprising communicating for display to the client a representation of one or more of the one or more standard documents on a web page associated with the system. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 9, Whitworth discloses further comprising communicating for display to the client a link to a representation of one or more of the one or more standard documents on a web page associated with the system. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 10, Whitworth discloses further comprising obtaining, receiving, or communicating a tax-free guarantee associated with the securities transaction. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 11, Whitworth discloses further comprising receiving a request to sample one or more pricing dates associated with the securities transaction. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 12, Whitworth discloses a method for conducting a bond sale transaction, comprising:  
receiving an application to issue for sale a set of one or more bonds; and  
issuing for sale the set of bonds, including preparing for the bond sale without communicating with a counsel. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

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As per claim 13, Whitworth discloses, wherein the counsel is a bond counsel. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 14, Whitworth discloses wherein the bonds are municipal bonds. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 15, Whitworth discloses wherein the step of preparing for the . bond sale includes preparing a tax opinion. (see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 16, Whitworth discloses a method for conducting a bond sale transaction, comprising:

receiving an application to issue for sale a set of one or more bonds; and  
issuing for sale the set of bonds, wherein the issuing includes preparing for the bond sale and selling the set of bonds without communicating with one or more of the members selected from the group consisting of a financial advisor, a bond counsel, a disclosure counsel, a tax counsel, an underwriters counsel, an internal counsel, a finance staff, and a bank trustee. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 17, Whitworth discloses a method for managing a bond sale in a system having a network, one or more servers, one or more clients, and one or more databases, comprising:

receiving over a network an indication of interest in a bond sale and an application to issue for sale a set of one or more bonds; and

processing the indication of interest by a pricing engine to determine a price for a bond associated with the bond sale, wherein the pricing engine determines the price based on at least one member selected from the group consisting of a bond volume factor, an income tax factor, a relationship factor, a perception of value factor, and a stock market factor. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

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As per claim 18, Whitworth discloses Claim 18 (original): The method of claim 17, wherein the pricing engine is automated or computerized. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67):

As per claim 19 Whitworth discloses wherein the bond is a municipal bond. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 23, Whitworth discloses a method for managing a sale of securities is a system having one or more servers, one or more clients, and one or more databases, comprising:

accepting one or more orders for one or more of the securities from one or more individual investors before accepting one or more orders for one or more of the securities from one or more institutional investors. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 24, Whitworth discloses wherein the accepting of the one or more orders for the one or more securities from the one or more individual investors occurs at least one day before the accepting of the one or more orders for the one or more securities from the one or more institutional investors. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 25, Whitworth discloses wherein the securities are bonds. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 26, Whitworth discloses a computer program product for use in managing a securities transaction in a system including one or more servers, one or more clients, and one or more databases, said computer program product comprising a computer readable medium including:

Computer readable program code embodied in said medium configured to cause a computer to receive over a network an application for money from an

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entity, application to issue for sale a set of one or more bonds and an indication of interest in on a bond sale computer readable program code for causing the computer to effect reviewing the application for money; and computer readable program code for causing said computer (see column 20 lines 1-40).

Whitworth fail to explicitly teach determine to which of a plurality of categories the securities issuance belongs and, based on the determination, to present at least one standard document associated with that category.

However Bond Financing discloses the Official. Statement is dated the date the bonds are sold and contains the final terms of the bonds. Under federal securities laws, the Issuer (and the Borrower, if there is one) are obligated to disclose in this document all information that a "reasonable investor" would consider important in deciding whether to purchase a bond. A "Preliminary Official Statement" complete , except for interest rates and maturities, is used to presell the bonds.

Purchase Contract This is the agreement between the Issuer and the Underwriter in which the Issuer agrees to sell the bonds to the Underwriter and the Underwriter agrees to purchase the bonds from the Issuer at a specified purchase price, typically principal plus accrued interest from the date of the bonds to the date of closing. The Purchase Contract sets forth the terms and conditions under which the Underwriter will purchase the bonds. These provisions include provisions for various documents and opinions to be provided by parties to the financing at the closing, including any expected bond rating.(see page 1-5)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Whitworth to include determining to determine to which of a plurality of categories the securities issuance belongs and, based on the determination, to present at least one standard document associated with that category taught by Bond Financing in order to present one standard document associated with that category.

As per claim 27, Whitworth discloses an article of manufacture comprising:  
a computer readable medium including computer readable program code embodied therein for causing managing a securities transaction in a system including one or more



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servers, one or more clients, and one or more databases, the computer readable program code in said article of manufacture comprising:

computer readable program code for causing a computer to effect receiving over a network an application for money from an entity the application to issue for sale a set of one or more bonds and an indication of interest in a bond sale(see column 20 lines 1-40) and computer readable program code for causing the computer in response to indication of interest to effect communication over the network for display to at least one of the one or more clients at least one member selected from the group consisting of one or more initial bonds offering documents data related to historical bond pricing data related to pricing of similar past bond offerings data related to (see column 20 lines 1-40).

Whitworth fail to explicitly teach one or more news articles associated with the bond transaction.

However Bond Financing discloses the Official. Statement is dated the date the bonds are sold and contains the final terms of the bonds. Under federal securities laws, the Issuer (and the Borrower, if there is one) are obligated to disclose in this document all information that a "reasonable investor" would consider important in deciding whether to purchase a bond. A "Preliminary Official Statement" complete , except for interest rates and maturities, is used to presell the bonds.

Purchase Contract This is the agreement between the Issuer and the Underwriter in which the Issuer agrees to sell the bonds to the Underwriter and the Underwriter agrees to purchase the bonds from the Issuer at a specified purchase price, typically principal plus accrued interest from the date of the bonds to the date of closing. The Purchase Contract sets forth the terms and conditions under which the Underwriter will purchase the bonds. These provisions include provisions for various documents and opinions to be provided by parties to the financing at the closing, including any expected bond rating.(see page 1-5)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Whitworth to include one or more news articles

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associated with the bond transaction. taught by Bond Financing in order to present one standard document associated with that category.

As per claim 28, Whitworth discloses a computer program product for use in conducting a computer readable medium bond sale transaction, said computer program product comprising:

a computer readable medium including computer readable program code embodied in said medium for causing receiving over a network an application to issue for sale a set of one or more bonds and an indication of interest in a bond sale . (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67) and Computer readable medium program code for causing a computer to effect issuing for sale the set of bonds wherein the method includes preparing for the bonds sale without communicating with a counsel.(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 29, Whitworth discloses an article of manufacture comprising:  
a computer readable medium including computer readable program code embodied therein for causing conducting a bond sale transaction, the computer readable program code in said article of manufacture comprising:  
computer readable megrim code for causing a computer to effect receiving over a network an application for money from an entity, an application to issue for sale a wt of one or more bonds and indication of interest in a bond sale: and  
computer readable program code for causing the computer to effect issuing for sale the set of bonds, wherein the method includes preparing for the bond sale without communicating with , a counsel. .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 30, Whitworth discloses a computer program product for use in conducting a bond sale transaction, said computer program product comprising:  
Computer readable medium including computer readable program code embodied in said medium for causing receiving over a network an application for money from an entity and application to issue for sale a set of one or more bonds and an indicating of

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interest in a bond sale and computer readable program code for causing a computer to effect issuing for sale the set of bonds, wherein the method includes preparing for the bond sale without communicating with one or more of the members selected from the group consisting of a financial advisor, a bond counsel, a disclosure counsel, a tax counsel, an underwriters counsel, an internal counsel, a finance staff, and a bank trustee. .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 31, Whitworth discloses Claim 31 (currently amended): An article of manufacture comprising:

a computer readable medium including computer readable program code embodied therein for managing a securities transaction in a system eluding one or more servers one or more clients, and one or more databases, the computer readable program code in said article of manufacture comprising:

computer readable medium code for causing a computer to effect receiving over a network an application for money from an entity and an application to issue for sale a set of one or more bonds .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

and computer readable program code for causing a computer to effect issuing for sale the set of bonds wherein the method includes preparing for the bond sale without communicating with a counsel. (see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 34, Whitworth discloses computer program product for use in managing a sale of securities in a system having one or more servers, one or more clients, and one or more databases, said computer program product comprising: ., a computer readable medium including computer readable program code embodied in said medium for causing accepting one or more orders for one or more of the securities from one or more individual investors before accepting one or more orders for one or more of the securities from one or more institutional investors. .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

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As per claim 35, Whitworth discloses a article of manufacture comprising a computer readable medium including computer readable program code embodied therein for causing managing a sale of securities in a system having one or more servers, one or more clients, and one or more databases, the computer readable program code in said article of manufacture comprising:  
computer readable program code for causing a computer to effect accepting one or more orders for one or more of the securities from one or more individual investors before accepting one or more orders for one or more of the securities from one or more institutional investors.(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 36, Whitworth discloses further comprising creating or presenting an on-line secondary market for sale of the securities. .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

As per claim 37, Whitworth discloses wherein the accepting of the one or more orders for the one or more securities from the one or more individual investors occurs at least two hours before the accepting of the one or more orders for the one or more securities from the one or more institutional investors. .(see column 20 lines 1-40 and see column 2 lines 1-40 and column 5-6 lines 1-67 and column 9 lines 29-67 and column 10-20 lines 1-67).

## **Conclusion**

### **Response to Arguments**

4. Applicant's argument filed 10/3/06 has been fully considered but they are moot in view of new grounds of rejections.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham, whose telephone number is (571)

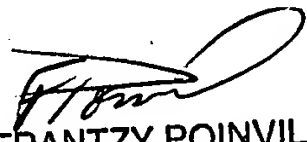
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272-6795. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. The fax phone number for this Art Unit is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Art Unit 3698

Dec 15, 2006

CG

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
*AU 3692*